

## AMENDMENTS TO THE CLAIMS

1. **(Currently Amended)** A breathing assistance apparatus comprising:  
a nasal cannula, shaped to fit within a user's nares, and adapted to deliver said humidified gases to said user,  
~~a pressurised source of gases,~~  
~~transportation means adapted to, in use, be in fluid communication with said source of gases and said nasal cannula and adapted to in use convey said gases to said user,~~  
wherein said nasal cannula includes at least one prong that is capable of increased high flow delivery of said ~~humidified~~ gases and creates a positive airway pressure in said ~~user's patient's~~ airway, said at least one prong having an opening at its end, wherein the opening is formed in a plane that is oriented at an angle with respect to a transverse plane, the transverse plane being transverse to a longitudinal axis of a portion of the prong extending from the opening ~~an angled end~~, such that in use, gases flowing through said prong are directed to said user's nasal passages.
2. **(Original)** A breathing assistance apparatus according to claim 1 wherein said nasal cannula includes arms or loop to attach a head strap to said cannula.
3. **(Original)** A breathing assistance apparatus according to claim 2 wherein said head strap is a small flexible tube.
4. **(Previously Presented)** A breathing assistance apparatus according to claim 1 wherein said at least one prong includes a flange near or about its end.
5. **(Previously Presented)** A breathing assistance apparatus according to claim 1 wherein said at least one prong is two prongs that are angled toward one another and are oval in shape such that they substantially follow the shape and contour of human nares.
6. **(Original)** A breathing assistance apparatus according to claim 4 wherein said flange causes the sealing of said at least one prong in at least one nare of said user in use.
7. **(Previously Presented)** A breathing assistance apparatus according to claim 4 wherein said flange is a thin flexible extension that extends substantially completely around the circumference of said at least one prong.
8. **(Currently Amended)** A breathing assistance apparatus according to claim 4 wherein said flange is elliptical in shape, and wherein a first portion ~~with one side~~ of said flange

extends further ~~extending out~~ from said at least one prong ~~further~~ than a secoond portion of said flange ~~the other side~~.

9. **(Previously Presented)** A breathing assistance apparatus according to claim 1 wherein said at least one prong includes a flange, recessed area and shaped end where the recessed area is disposed between said flange and said shaped end and in use said flange extends into and seals within a user's nares.

10. **(Currently Amended)** A breathing assistance apparatus according to claim 9 wherein said shaped end comprises wall thickness that becomes progressively thinner ~~in cross-section~~ towards the shaped end's tip.

11. **(Withdrawn)** A breathing assistance apparatus comprising:

nasal cannula, shaped to fit within a user's nares,

a pressurised source of gases,

transportation means adapted to, in use, be in fluid communication with said source of gases and said nasal cannula and adapted to in use convey said gases to said user,

wherein said nasal cannula are adapted to deliver said humidified gases to said user, said nasal cannula including at least one prong allowing high flow delivery of said humidified gases and creating positive airway pressure in said patient's airway, said at least one prong having an end that is flared outwardly.

12. **(Canceled)**

13. **(Previously Presented)** A breathing assistance apparatus according to claim 10 wherein said nasal cannula has two nasal prongs.

14. **(Original)** A breathing assistance apparatus according to claim 13 wherein said prongs are oval and shaped to follow the contours of human nares.

15. **(Previously Presented)** A breathing assistance apparatus according to claim 13 wherein said prongs are angled toward one another to prevent dislodgement from said user's nares and assist in flow of gases into the user's nasal passages.

16. **(Previously Presented)** A breathing assistance apparatus according to claim 13 wherein said prongs each have a step formed in them such that in use the sides of said prongs abut the user's nasal septum so as to prevent said prongs from dislodging from said user's nares.

17. **(Original)** A breathing assistance apparatus according to claim 16 wherein each of said prongs include a protrusion formed opposite said step that assists in correct orientation of said prongs within said user's nares.

18. **(Previously Presented)** A breathing assistance apparatus according to claim 10 wherein said nasal cannula includes a body that has a plurality of apertures that act as a bias flow outlet vent for gases exhaled by said user.

19. **(Previously Presented)** A breathing assistance apparatus according to claim 10 wherein said nasal cannula is connected to said transportation means by way of a ball and socket joint.

20. **(Currently Amended)** A breathing assistance apparatus according to claim 10 includes humidification means adapted to, in use, be in fluid communication with said source of gases and said transportation means and adapted to in use humidify said gases. ~~gases~~;

21. **(Canceled)**

22. **(Previously Presented)** A breathing assistance apparatus according to claim 6 wherein said flange is a thin flexible extension that extends substantially completely around the circumference of said at least one prong.

23. **(New)** A breathing assistance apparatus comprising:

a nasal cannula shaped to fit within a user's nares, and adapted to deliver gases to said user, said nasal cannula defining a longitudinal axis along its length;

said nasal cannula comprising at least one prong configured for increased flow delivery of said gases and for creating a positive airway pressure in said user's airway,

said at least one prong comprising a first portion extending substantially parallel to the nasal cannula's longitudinal axis, and a second portion extending from the first portion at an angle with respect to the nasal cannula's longitudinal axis,

said at least one prong further comprising an opening formed within the second portion, such that in use, gases flowing through said prong are directed to said user's nasal passages.